

REMARKS

Applicant amends claims 1, 2, 8, 10, 19, and 20 to more clearly define the features of those claims.

Claims 1-20 are currently pending.

In the Final Office Action mailed January 14, 2009, the Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as unpatentable over International Publication No. WO 02/073933 to Hovell et al. (Hovell) in view of U.S. Patent Application Publication No. 2004/0107287 to Ananda et al. (Ananda). Applicant respectfully traverses this rejection.

Claim 1 recites a combination of features including, among other things, “a second connector configured to provide a second direct connection to a second network using a second network protocol, wherein, when the resolver in the first network forwards a name resolving request to a domain name service server in the second network, the name resolving request is sent directly from the resolver in the first network to the second network, the name resolving request sent directly between the first network and the second network without using a network address translator server configured to process packets other than the name resolving request sent to the second network.” The Examiner acknowledges that Hovell fails to disclose this feature. Final Office Action, page 5.

To cure the above-noted gap in Hovell, the Examiner alleges that the Ananda DNS server 125 “will necessarily have to be changed from IPV4 stack to dual-stack hosts operating on both IPv4 and IPv6.” Final Office Action, page 5; see also Ananda at para. 0071. Although Ananda discloses a DNS 125 (FIG. 1), an IPv4/IPv6 DNS 225A

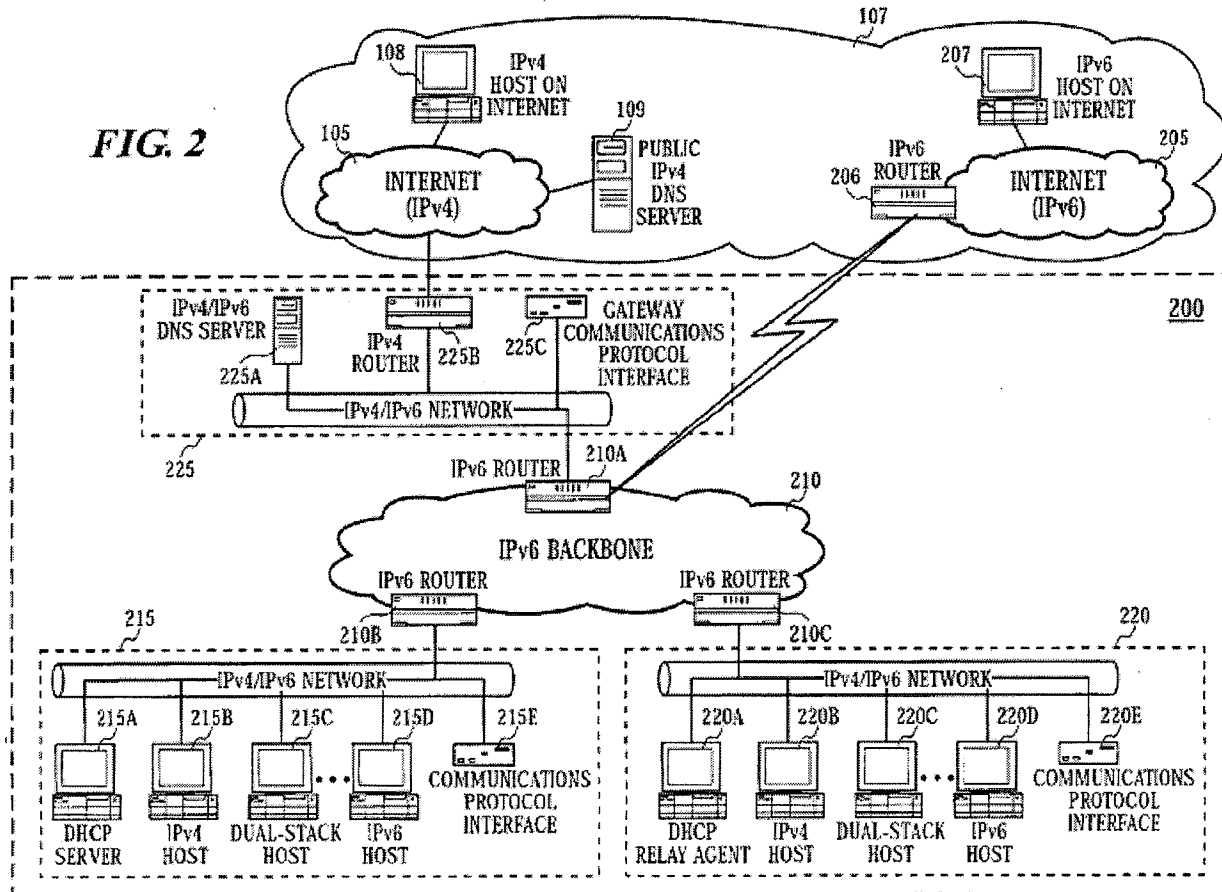
(FIG. 2), a public IPv4 DNS server 109 (FIG. 2), and a so-called "dual stack," there is no disclosure or suggestion that Ananda's DNS can be configured to process name resolver requests (including their associated address translations of the name resolution requests) between two networks having different protocols without using a separate network address translator, so that the separate network address translator can be used to perform translations of packets other than those associated with name resolution. Indeed, Ananda uses a DNS and a separate communication protocol interface to perform protocol (i.e., address) translations.

For example, Ananda states:

[0080] The gateway multi-protocol subnet 225 is coupled to the router 210 A, and comprises a dual-stack DNS server 225 A, an IPv4 router 225 B, and advantageously includes a GCPI 225 C. The DNS server 225 A provides domain name service to the hosts on the communication network 200, including the hosts 215 A- 215 D and 220 A- 220 D via the IPv6 communication network 210 . The IPv4 router 225 B only routes IPv4 data packets and is coupled to the IPv4 portion 105 of the Internet 107 to provide the IPV4 hosts 215 B and 220 B and dual-stack hosts 215 C and 220 C, on the communication network 200, with access to IPv4 hosts 108 on the IPv4 portion 105 of the Internet 107 , or the public IPv4 DNS server 109 .

[0081] The GCPI 225 C advantageously enables multi-protocol communication within the gateway multi-protocol subnet 225 ; and also enables communication between all subnets coupled to the IPv6 communication backbone 210, including the multi-protocol subnets 215 and 220, and the IPv4 portion 105 of the Internet 107.

Ananda, para. 0080 and 0081. FIG. 2 of Ananda is depicted below.



Paragraphs 0080 and 0081 mention the so-called “dual-stack” IPv4/IPv6 server 225A. However, Ananda makes clear that protocol conversions between the networks are performed by communications protocol interface 225C rather than the DNS. Ananda’s dual-stack servers thus *teach away* from the above-noted feature of claim 1. As such, Ananda fails to disclose a resolver sending a name resolving request *directly* from the resolver in a first network to a second network, much less “a second connector configured to provide a second direct connection to a second network using a second

network protocol, wherein, when the resolver in the first network forwards a name resolving request to a domain name service server in the second network, the name resolving request is sent *directly* from the resolver in the first network to the second network without using a network address translator server configured to process packets other than the name resolving request sent to the second network,” as recited in claim 1. Emphasis added.

In view of the foregoing, neither Hovell nor Ananda discloses or suggests the above-noted feature of claim 1. Therefore, claim 1 and claims 2-7, at least by reason of their dependency from independent claim 1, are allowable over Hovell and Ananda, whether those references are taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of those claims should be withdrawn.

Moreover, because Ananda uses a DNS and a separate communication protocol interface for translating protocols associated with the name resolution requests, Ananda cannot possibly disclose “a translator configured to perform address translation between the first network and the second network, the translator, separate from the network address translator server, performing address translation on the name resolving request sent directly to the second network without using the network address translator server,” as recited in claim 1. Furthermore, Hovell does not cure this noted deficiency of Ananda. Nor does the Examiner alleged that Hovell cures this deficiency of Ananda. For this additional reason, claim 1 and claims 2-7, at least by reason of their dependency from independent claim 1, are allowable over Hovell and Ananda, whether

those references are taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of those claims should be withdrawn.

Independent claims 8, 10, 19, and 20, although of different scope, include one or more features similar to those noted above with respect to claim 1. For at least the reasons given above with respect to claim 1, claims 8, 10, 19 and 20, as well as claims 9 and 11-18, at least by reason of their dependency from independent claims 8, 10, and 19, are allowable over Hovell and Ananda, whether those references are taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of those claims should be withdrawn.

Regarding the motivation to combine, M.P.E.P. 2143.01 states “[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).” Applicant submits that one of ordinary skill in the art would not be motivated to make the Hovell-Ananda combination proposed by the Examiner because the proposed modification of Ananda would make Ananda unsuitable for its intended purpose. Specifically, Ananda relates to protocol conversion between IPv4 and IPv6 using a communication protocol interface. As such, to perform the modifications proposed by the Examiner would obviate the very purpose of Ananda to provide a communication protocol interface, as expressed in Ananda’s Brief Summary of the Invention section. See, e.g., Ananda, para. 0019. Moreover, Ananda teaches away, as noted above. Therefore, one of ordinary skill in the art would not be motivated to make the Hovell-Ananda combination

proposed by the Examiner. Therefore, the rejection of claims 1-20 under 35 U.S.C.

§103(a) as unpatentable over Hovell and Ananda should be withdrawn for this additional reason.

CONCLUSION

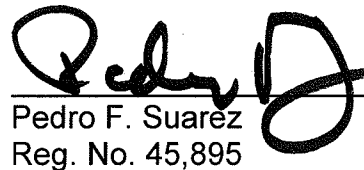
Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. Applicant submits that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. Finally, Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. Applicant asks that all claims be allowed.

No fees are believed to be due, however, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, reference no. 37343-501001US. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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